

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	Attorney Docket No. 029567.00008
Noriaki SANADA et al.	Confirmation No.: 3590
Application No.: 10/595,614	Art Unit: 2881
Filed: May 2, 2007	Examiner: Michael J. LOGIE
For: ELECTRON SPECTROSCOPY ANALYSIS METHOD AND ANALYTICAL APPARATUS	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: December 7, 2009

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB08. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- ☐ a. I hereby certify that:
- ☐ (1) each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1). No fee is required.
- ☐ (2) no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, no item of information in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2). No fee is required.
- ☐ b. Since neither certification of paragraphs a(1) or a(2) above is being made, accompanying this statement is the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☒ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Accompanying this statement is the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☒ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- ☒ 4. The references were cited during prosecution in a corresponding foreign application. A copy of the Japanese office action is attached for the Examiner's information. British Publication No. 2386747 A was previously submitted in an Information Disclosure Statement filed August 11, 2009. An English-language Abstract of the non-English language reference is attached hereto. A copy of the non patent document is attached.

In the event that any fees are due with respect to this paper, please charge Deposit Account No. 01-2300, referencing Atty. Docket No. 029567.00008.

Respectfully submitted,



Jack R. Smith
Registration No.: 61,986

Customer No. 04372
ARENT FOX LLP
1050 Connecticut Ave. NW
Washington, DC 20036
Tel: (202) 857-6000
Fax: (202) 857-6395
Email: DCIPDocket@arentfox.com

JRS/tmp